

Motion Granted.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

s/Jack Zouhary **Aug 18, 2011**
U.S. District Judge

IN RE POLYURETHANE FOAM ANTITRUST)
LITIGATION)

THIS DOCUMENT RELATES TO:)

ALL CASES)

MDL Docket No. 2196

Index No. 10 MD 2196 (JZ)

MOTION FOR WITHDRAWAL OF COUNSEL

Pursuant to Local Civil Rule 83.9 for the United States District Court for the Northern District of Ohio, the undersigned attorneys hereby move this Court to permit: (i) Robert L. Burchette and Martin L. White of the law firm JOHNSTON, ALLISON & HORD, P.A.; (ii) Tucker H. Byrd and Scott William Weinstein of the law firm MORGAN & MORGAN; and attorney Manuel J. Dominguez to withdraw as counsel of record for Plaintiff Martin Furniture and Bedding, Inc. ("Martin Furniture"). The following facts are offered in support of this Motion:

1. Todd A. Seaver and Nathaniel Orenstein from law firm BERMAN DEVALERIO will quite ably remain as counsel of record for Martin Furniture, and the withdrawal of the above-named counsel will neither impede this litigation nor prejudice Martin Furniture. Messrs Seaver and Orenstein are experienced class action counsel who are members in good standing in the United States District Court District of Massachusetts. Messrs Seaver and Orenstein representation of Martin Furniture predates the filing of its initial complaint in the United States District Court for the Western District of North Carolina and has continued through the consolidation of that matter with MDL 2196.

2. This Motion has been made with the consent of Martin Furniture, who has received written notice pursuant to Local Civil Rule 83.9.

WHEREFORE, the undersigned attorneys respectfully request that the court enter an Order granting their Motion to Withdrawal of counsel for Robert L. Burchette, Martin L. White, Tucker Byrd, Scott William Weinstein and Manuel J. Dominguez as attorneys in the above-captioned actions.

Dated: August 16, 2011

Respectfully submitted,

<u>/s/ Manuel J. Dominguez</u> Manuel J. Dominguez COHEN MILSTEIN SELLERS & TOLL 3507 Kyoto Gardens Drive, Ste 200 Palm Beach Gardens, FL 33418 Telephone: (561) 578-6850 Email: jdominguez@cohenmilstein.com <i>Withdrawing Counsel of Record for Martin Furniture and Bedding, Inc.</i>	<u>/s/ Tucker H. Byrd</u> Tucker H. Byrd Scott William Weinstein MORGAN & MORGAN 10 North Orange Avenue Orlando, Florida 32801 Telephone: (407) 420-1414 Facsimile: (407) 418-2048 Email: TByrd@businesstrialgroup.com <i>Withdrawing Counsel of Record for Martin Furniture and Bedding, Inc.</i>
<u>/s/ Robert L. Burchette</u> Robert L. Burchette Martin L. White JOHNSTON, ALLISON & HORD, P.A. 1065 East Morehead Street Charlotte, North Carolina 28204 Telephone: (704) 332-1181 Facsimile: (704) 376-1628 Email: rburchette@jahlaw.com Email: mwhite@jahlaw.com <i>Withdrawing Counsel of Record for Martin Furniture and Bedding, Inc.</i>	<u>/s/ Todd A. Seaver</u> Todd A. Seaver BERMAN DEVALERIO One California Street Suite 900 San Francisco, CA 94111 Telephone: 415 433-3200 Facsimile: 415 433 6382 Email: tseaver@bermandevalerio.com <i>Counsel of Record for Martin Furniture and Bedding, Inc.</i>

<u>/s/ Nathaniel L. Orenstein</u> Nathaniel L. Orenstein BERMAN DEVALERIO One Liberty Square Boston, MA 02109 Telephone: 617 542-8300 Facsimile: 617 542-1194 Email:norenstein.@bermandevalerio.com <i>Counsel of Record for Martin Furniture and Bedding, Inc.</i>	

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2011, I caused the foregoing document to be filed electronically with the Clerk of the Court using the ECF system, which will send electronic notification of such filings to all attorneys of record.

/s/ Manuel J. Dominguez
Manuel J. Dominguez
Withdrawing counsel for Martin Furniture and
Bedding, Inc.